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Attorneys for Defendants  
ICON CLINICAL RESEARCH LLC; DOCS  
GLOBAL, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHRYSTAL L. MILLER, individually and on  
behalf of all others similar situated,

Plaintiff,

vs.

ICON PLC; LYNDIA HOLCROFT; ICON  
CLINICAL RESEARCH LLC; DOCS  
GLOBAL, INC., and DOES 3-100,

Defendants.

Case No. 20-cv-04117-YGR

**ORDER GRANTING  
STIPULATION TO REMAND CASE  
TO STATE COURT**

1 **Additional Counsel for Plaintiff**

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9 CRYSTAL L. MILLER  
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1 Plaintiff Chrystal Miller (“Plaintiff”) and Defendants ICON Clinical Research LLC  
 2 (“ICON Clinical”) and DOCS Global, Inc. (“DOCS Global”) (together, “Defendants”)<sup>1</sup>  
 3 (collectively, “the Parties”), by and through their respective counsel of record, hereby stipulate as  
 4 follows:

5 WHEREAS, on April 20, 2020, Plaintiff filed an unverified class action complaint  
 6 (“Complaint”) in San Mateo Superior Court alleging five causes of action on behalf of Plaintiff  
 7 and a putative class of Clinical Research Associates (“CRAs”) under California law: (1) alleged  
 8 failure to pay overtime wages; (2) alleged failure to provide meal and rest periods; (3) alleged  
 9 failure to provide accurate, itemized wage statements; (4) alleged failure to timely pay all final  
 10 wages; and (5) alleged unlawful and unfair business acts and practices;

11 WHEREAS, Plaintiff filed this action against ICON plc, ICON Clinical, DOCS Global,  
 12 and Lynda Holcroft;

13 WHEREAS, on June 18, 2020, ICON Clinical and DOCS Global filed their Answer to  
 14 Plaintiff’s Complaint;

15 WHEREAS, on June 22, 2020, ICON Clinical filed a Notice of Removal with this Court  
 16 removing the action from San Mateo Superior Court to this Court on the basis that the Court had  
 17 subject matter jurisdiction under the Class Action Fairness Act (“CAFA”);

18 WHEREAS, on July 22, 2020, Plaintiff filed a motion to remand the case to San Mateo  
 19 Superior Court on the basis that CAFA’s local controversy exception applied, *see* ECF No. 9;

20 WHEREAS, on August 20, 2020, the Court issued an order denying Plaintiff’s motion to  
 21 remand without prejudice, *see* ECF No. 14 (“Order”);

22 WHEREAS, in the Order, the Court determined that Plaintiff had established all of the  
 23 requirements of the CAFA local controversy exception, save the requirement that Plaintiff show  
 24 that “greater than two-thirds of the members of all proposed plaintiff classes in the aggregate are  
 25 citizens of the State in which the action was originally filed”;

26 WHEREAS, pursuant to the Order, the Court permitted Plaintiff to “conduct limited  
 27 jurisdictional discovery regarding the citizenship of the putative class only”;

28 \_\_\_\_\_  
<sup>1</sup> Defendant ICON plc and Defendant Lynda Holcroft have not appeared in the case.

1 WHEREAS, Plaintiff served discovery requests on Defendants;

2 WHEREAS, in response to Plaintiff's discovery requests, Defendants determined the  
3 following: From April 20, 2016, through June 22, 2020, the date that ICON Clinical removed the  
4 action to this Court, ICON Clinical had employed 132 CRAs in California and DOCS Global had  
5 employed 39 CRAs in California, for a total of 171 CRAs, which represents the total number of  
6 putative class members as of June 22, 2020. Of these 171 CRAs, 161 of the CRAs were citizens  
7 of the United States whose last known home address was a California address as of June 22,  
8 2020. Accordingly, over 94% of the putative class had last known addresses in California as of  
9 June 22, 2020;

10 WHEREAS, based on this information, the Parties agree that Plaintiff satisfies the  
11 remaining requirement of CAFA's local controversy exception that greater than two-thirds of the  
12 putative class be California citizens, *see* 28 U.S.C. § 1332(d)(4); and *Adams v. W. Marine Prod.,*  
13 *Inc.*, 958 F.3d 1216 (9th Cir. 2020);

14 WHEREAS, the Parties further agree that this Stipulation is without prejudice to  
15 Defendants removing this action to this Court again should Lynda Holcroft be dismissed from the  
16 case and that Plaintiff reserves all challenges and objections to any potential future removal of the  
17 action;

18 WHEREAS, the Parties further agree that, based on this Stipulation and the Court's prior  
19 Order on Plaintiff's motion for remand, the action should at this time be remanded to the San  
20 Mateo County Superior Court; and

21 WHEREAS, the Parties further agree that they shall bear their own fees and costs  
22 associated with the removal to federal court and the remand to state court.

23 NOW THEREFORE, IT IS HEREBY STIPULATED, by and between Plaintiff and  
24 Defendants, through their respective counsel, as follows:

- 25 1. The Parties incorporate by reference, and stipulate to, all points and agreements in the
- 26 above fact section; and
- 27 2. The action should be remanded to the San Mateo County Superior Court.

28 IT IS SO STIPULATED.

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2 Dated: October 29, 2020

KEEGAN & BAKER, LLP

3  
4 By /s/ Patrick N. Keegan  
Patrick N. Keegan

5 Attorney for Plaintiff  
6 CHRYSTAL L. MILLER

7 Dated: October 29, 2020

MORGAN, LEWIS & BOCKIUS LLP

8  
9 By /s/ Andrew P. Frederick  
Christopher J. Banks  
10 Andrew P. Frederick


11 Attorneys for Defendants  
12 ICON CLINICAL RESEARCH LLC and  
DOCS GLOBAL, INC.

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14  
15 **ORDER**

16 For the reasons stated in the Parties' stipulation and for good cause appearing, the Court  
17 finds that the local-controversy exception to CAFA applies to this case, 28 U.S.C. § 1332(d)(4),  
18 and **REMANDS** this action to the San Mateo Superior Court effective the date of this Order.

19  
20 **IT IS SO ORDERED.**

21  
22 Date: November 3, 2020

  
23 Yvonne Gonzalez Rogers  
24 United States District Court  
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